

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8197

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Abraham Rafael OCHOA-Preciado

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about March 1, 2008, within the Southern District of California, defendant Abraham Rafael OCHOA-Preciado did knowingly and intentionally import approximately 64.10 kilograms (141.02 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Probable Cause Statement incorporated herein by reference.

Diana Danuoste
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3RD,
DAY OF MARCH 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Timothy Ballard with United States Immigration and Customs Enforcement, declare under penalty of perjury, the following is true and correct:

On March 1, 2008, at approximately 0740 hours, Abraham Rafael OCHOA-Preciado entered the United States from the Republic of Mexico at the Calexico West Port of Entry, California. OCHOA-Preciado was the driver of a 1995 Ford Windstar, bearing Baja California, Mexico license plate number AHV9717. Customs and Border Protection Officers searched the vehicle and discovered forty-four (44) packages, which contained a green, leafy substance. One of the packages field-tested positive for Marijuana. The forty-four packages had a combined weight of 64.10 kgs. (141.02 lbs.). The drugs were concealed within the side panel, seat back and tire of the vehicle.

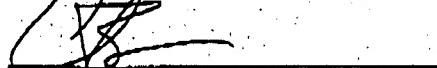
OCHOA-Preciado was advised of his constitutional rights, which he waived. OCHOA-Preciado admitted knowledge of illegal narcotics in the vehicle and said he was to be paid \$1,200 U.S. for his part in the smuggling venture.

Executed on March 1, 2008 at 1445 hours.



Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on March 1, 2008, in violation of Title 21, United States Code, Sections 952 and 960.



United States Magistrate Judge

3/1/08 @ 3:pm

Date/Time

**CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE**